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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

Report of the Secretary-General

Summary

The present report is submitted in accordance with General Assembly resolution 66/157, in which the Assembly requested the Secretary-General to invite Member States and intergovernmental and non-governmental organizations to present further practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report thereon to the Assembly at its sixty-eighth session.

The present report contains a summary of the submissions received from the Governments of Argentina, Azerbaijan, Bahrain, Belarus, Ecuador, Guatemala, Mexico, Qatar and Syria, as well as the World Meteorological Organization and the United Nations Office on Drugs and Crime. It concludes by identifying common concerns and contains recommendations on how to strengthen United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity.

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I. Introduction

1. In its resolution 66/157 of 20 March 2012, the General Assembly requested the Secretary-General to invite Member States and intergovernmental and non-governmental organizations to present further practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity.

2. On 22 April 2013, the Office of the United Nations High Commissioner on Human Rights (OHCHR) sent a request for information to all permanent missions to the United Nations Office at Geneva and other international organizations located in Geneva. On 15 July 2013, OHCHR circulated a request for information to all intergovernmental and non-governmental organizations. As at 23 July 2013, replies had been received from the Governments of Argentina, Azerbaijan, Bahrain, Belarus, Ecuador, Guatemala, Mexico, Qatar and Syria, as well as from the World Meteorological Organization and the United Nations Office on Drugs and Crime. Those views most relevant to the subject matter are summarized below.

II. Replies received from Governments

Argentina

3. The Government of Argentina emphasized its active regional and international leadership role in promoting human rights through which Argentina had gained extensive experience in international cooperation on the promotion and protection of human rights. The Government of Argentina is of the view that any international cooperation, in particular that involving the Member States of the United Nations, should be guided by fairness and objectivity and be consistent with provisions of international human rights instruments. The Government of Argentina suggested the creation of a web page, entitled "Record of International Cooperation" that would contain information regarding areas of cooperation and a summary description of the activities that could strengthen a cooperation network and provide greater transparency and facilitate the identification of potential areas of cooperation within the broad spectrum of human rights. The Government of Argentina emphasized that dissemination of information on international cooperation could serve as an incentive for Member States to report regularly on their cooperation activities.

Azerbaijan

4. The Government of Azerbaijan highlighted that article 33(2) of the United Nations Convention on the Rights of Persons with Disabilities envisaged national mechanisms to promote, protect and monitor the implementation of the Convention. However, it noted that there was a lack of specific guidelines regarding formation and implementation of such mechanisms, which caused difficulties in the practical application of the article. In that regard, the Government of Azerbaijan suggested that an additional protocol to the Convention providing specific guidelines on formation and implementation of the national mechanisms to promote, protect and monitor the implementation of the Convention should be adopted.

Bahrain

5. The Government of Bahrain stated that it considered the Office of the United Nations High Commissioner for Human Rights and other United Nations mechanisms, such as the Human Rights Council, as important partners in promoting and protecting human rights. It also affirmed its willingness to further its cooperation with United Nations human rights mechanisms.

6. The Government of Bahrain emphasized that the international community must treat human rights in a comprehensive, fair and equal manner and consider national particularities in the areas of development, history, culture and religion. It also emphasized that the respect for human rights and fundamental freedoms without discrimination was a fundamental principle of international human rights law. In that regard, the Government of Bahrain emphasized that the elimination of all forms of racism, racial discrimination, xenophobia and related intolerance should be the priority for the international community. It further stated that the rights of women and children should be an integral part of human rights activities. In order to do so, both intergovernmental and non-governmental organizations should intensify their efforts to protect and promote the human rights of women and children. In conclusion, the Government of Bahrain suggested that human rights should be included in school curricula, and highlighted the important role of the media in raising public awareness on human rights.

Belarus

7. The Government of Belarus emphasized its commitment to the promotion and protection of human rights and affirmed its position that all human rights, civil and political, economic, social and cultural, were universal, indivisible, interrelated and interdependent, and mutually reinforcing. While stressing the importance of giving all human rights equal importance, the Government of Belarus raised its concern about the politicization of human rights and suggested that a politically motivated approach to human rights issues needed to be eradicated. In that regard, it stressed that the Special Procedures should adhere to the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, adopted by the Council in its resolution 5/2 in order to ensure that the mandate-holders maintained their independence and impartiality. The Government of Belarus stated that the United Nations should also address human rights issues in all countries without exception. It suggested that the United Nations consider the possibility of creating a special procedure mandate to examine the negative impact of unilateral coercive measures on the enjoyment of human rights of citizens of States in which such measures were applied.

Ecuador

8. The Government of Ecuador elaborated on its cooperation with the human rights mechanisms of the United Nations, including the human rights treaty bodies, the Special Procedures mechanisms and the universal periodic review process. The Government of Ecuador highlighted its efforts to implement recommendations made by the Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination, as well as

recommendations made during the universal periodic review of Ecuador. The Government of Ecuador recognized the support received from various United Nations organizations, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Entity for Gender Equality and the Empowerment of Women, for human rights activities carried out by the Ministry of Justice, Human Rights and Religious Affairs. The Government of Ecuador suggested that, in order to reduce the duplication and optimize international cooperation, all proposed workplans of the United Nations organizations for each Member State be made public. It also proposed that the visits by representatives of the United Nations, including Special Procedures, be scheduled far enough in advance to allow for proper planning with the agenda of relevant authorities to maximize the potential of those visits. In closing, the Government of Ecuador emphasized its willingness to cooperate and demonstrate the transparency of its activities in promoting human rights.

Guatemala

9. The Government of Guatemala suggested that, in order to strengthen United Nations action in the field of human rights through the promotion of international cooperation, it was important to identify the legal, institutional and practical foundations for international cooperation in the area of human rights. This would include, where applicable, the legal consequences of a lack of cooperation, and possible solutions. It also suggested that specific forms and modalities for international cooperation on human rights at the bilateral and multilateral levels be developed, based on identified good practices from different stakeholders, as well as methods and evaluation criteria for the results of such cooperation.

10. As important elements in creating basic conditions for achieving effective international cooperation, the Government of Guatemala identified: (a) clear national policies, plans and monitoring and evaluating mechanisms ensuring good governance; (b) strong commitment at the highest level of institutions; (c) a common position of all relevant Government institutions based on which all negotiations with donor countries should be conducted; and (d) the willingness of donor countries to align their donor policies with the needs of host countries.

Mexico

11. The Government of Mexico suggested that the United Nations emphasize building national capacities in developing countries as a strategy to ensure full compliance with human rights. In that regard, the Government of Mexico stated that the United Nations should increase its engagement and collaboration with key national stakeholders, including members of the private sector, civil society organizations and academia. The importance of mutually beneficial South-South cooperation in knowledge and experience-sharing was also highlighted.

Qatar

12. The Government of Qatar highlighted its efforts to promote, protect and fulfil human rights through various laws, policies and institutions. The Government of

Qatar emphasized its active role in hosting international forums and conventions on development and human rights. It further emphasized that all Member States of the United Nations should respect the right to equality and non-interference in the internal affairs of other States. In that regard, the Government of Qatar emphasized that Governments of Member States should commit to promoting and protecting human rights and to cooperating with international and non-governmental organizations. The Government also highlighted the importance of supporting the United Nations in its efforts to promote and protect human rights throughout the world.

Syrian Arab Republic

13. The Government of the Syrian Arab Republic raised its concern about the politicization of human rights, which could jeopardize international legal and political authority and undermine international consensus on the mechanisms to address human rights issues. In that regard, the Government of the Syrian Arab Republic categorically rejected the use of human rights issues in a selective manner to intervene in the internal matters of States and attempt to influence internal political reforms through international financial assistance.

14. The Government of the Syrian Arab Republic emphasized the importance of respect for national sovereignty, independence of States and territorial integrity as a basis for international cooperation when promoting and protecting human rights, as guaranteed by the Universal Declaration of Human Rights and other international human rights instruments. It also suggested that human rights issues only be addressed in the Human Rights Council, which reviewed human rights situations of all countries through the universal periodic review mechanism. The Government of Syria was of the view that addressing human rights through draft resolutions aimed at specific countries was not in line with the principles and values of the United Nations. The Government of the Syrian Arab Republic also emphasized that foreign occupation constituted a violation of human rights and urged that the international community address human rights violations in foreign occupied territories.

III. Replies from intergovernmental organizations

United Nations Office on Drugs and Crime

15. The United Nations Office on Drugs and Crime (UNODC) highlighted that human rights were at the core of all the work of the United Nations system, including the work of UNODC. In its submission, UNODC further underscored that it aimed to maximize the positive human rights impact of its work and to take the human rights perspective into account while planning its programmes. In regard to ways of strengthening United Nations action in the field of human rights, UNODC suggested such action(a) end stigma, discrimination and violence against people who use drugs, drug-dependent people, including persons who injected drugs to promote their right to access evidence and human rights-based, gender-sensitive drug dependence treatment and HIV prevention, treatment and care services; (b) address stigma and promote the rights of people in prisons and other closed settings to access evidence and human rights-based, gender-sensitive equitable

health care; and (c) implement the United Nations standards and norms on crime prevention and criminal justice to build a functioning, efficient and humane crime prevention and criminal justice system.

World Meteorological Organization

16. In its submission, the World Meteorological Organization (WMO) highlighted its long and solid tradition of international cooperation in the domain of weather, climate and water. WMO promoted free and unrestricted exchange of data and scientific information on weather, climate and water among all its members. The submission also underscored the contribution of WMO in the promotion of human rights to food and water through the development of flood and drought integrated management systems. In conclusion, WMO emphasized the importance of international cooperation based on non-selectivity, impartiality and objectivity in implementing WMO core programmes and activities.

IV. Conclusions and recommendations

17. **The present report summarizes responses from States, the United Nations Office on Drugs and Crime and the World Meteorological Organization regarding the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity. All respondents agreed that international cooperation was essential in promoting, protecting and fulfilling human rights. The important role of the United Nations, in particular that of the Office of the United Nations High Commissioner for Human Rights, in promoting human rights, was recognized in various submissions. The responses also highlighted the need for more extensive international cooperation in the field of human rights and development based on fairness and impartiality.**

18. **In the context of international cooperation on human rights, State respondents cited their concern about, among other issues, the politicization of human rights in the international arena and emphasized the need for the United Nations to function in an impartial and non-selective manner. Other specific recommendations in the submissions included: (a) development of a webpage for the sharing of information regarding international cooperation in promoting and protecting human rights among States and international organizations; (b) inclusion of human rights in school curricula; (c) the publishing of workplans on cooperation between international organizations and States; (d) promotion of South-South cooperation; and (e) the adoption of an optional protocol to the Convention on the Rights of People with Disabilities providing guidelines on the formation and implementation of national mechanisms to promote, protect and implement the provisions of the Convention.**